

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

## ORDER

On October 10, 2023 the United States Magistrate Judge's Order and Recommendation ("Recommendation") was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. (Docs. 4, 5.) No objections were filed within the time limits prescribed by Section 636.

Therefore, the court need not make a de novo review and the Magistrate Judge's Recommendation is hereby adopted.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Recommendation, (Doc. 4), is **ADOPTED. IT IS FURTHER ORDERED** that this action be filed, and is hereby, **DISMISSED WITHOUT PREJUDICE** to Plaintiff filing a new action, on the proper forms, which corrects the defects cited in the Magistrate Judge's Recommendation, and is accompanied by the applicable filing fee.

A Judgment dismissing this action will be entered  
contemporaneously with this Order.

This the 21st day of November, 2023.

William L. Osten, Jr.  
United States District Judge